IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6632 OF 2004

Abdul Rehman Umar Shaikh & Anr. ...Petitioners
Vs.
The State of Maharashtra & Ors. ...Respondents

Mr. S.G.Deshmukh for Petitioners
Mr. S.R.Nargolkar, A.G.P. for Respondent Nos.1 & 2
Mr. Umesh Mankapur with Mr. R.V.More for
Respondent No.3

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 28TH JUNE, 2005

P.C.

1. Heard Mr. Deshmukh in support of this Petition. Mr. Mankapur appears with Mr. More for Respondent No.3, Municipal Corporation. Mr. Nargolkar appears for Respondent Nos.1 and 2.

2. The two Petitioners herein were allotted a stall on the ground that they were handicapped persons and a woman, in the locality at Nashik City known as Munduda Bhagar Mill Gate. That stall had to be removed for widening of the Nashik-Pune road. The Petition is filed to seek alternative accommodation. The earlier Division Bench of this Court had directed the Corporation to find out a way so that the Petitioners could be accommodated in a appropriate place. Petitioners were show two sites (1) on the

Takli Road and the other (2) near Milan Theatre and the Petitioners were to put up a still at their own expenses.

3. The Petitioners having declined these proposals third proposal has been given to them i.e. stalls constructed at market building, and the Petitioners were to deposit an amount of Rs.1,25,000/- with the Corporation as a deposit and will have to pay licence fees of Rs.15/- per sq. ft. per month. The stall is being allotted in a market in a constructed place and there will not be a shifting here after. Mr. Deshmukh gave thought to this proposal and on instructions he stated that he is accepting the proposal as conveyed by the Corporation by letter dated 10th June, 2005. The Petitioners will be informed as to when they have to deposit the amount after the meeting of the Standing Committee for this purpose. He is expected to deposit the amount within a period stipulated and take possession. Hence, Petition stand disposed of.

(H.L.GOKHALE,J.)

(SMT.R.S.DALVI,J.)